

**United States Bankruptcy Court  
Northern District of Illinois, Eastern Division**

## Notice of Motion

McKinley Dunigan  
7540 S. Hamilton Ave.  
Chicago, IL 60620

Debtor Attorney: David M Siegel  
via Clerk's ECF noticing procedures

On November 02, 2020 at 2:30 pm, I will appear before the Honorable David D. Cleary, or any judge sitting in that judge's place, and present this motion, a copy of which is attached.

**This motion will be presented and heard electronically using Zoom for Government.** No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

**To appear by video**, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

**To appear by telephone**, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

**Meeting ID and password.** The meeting ID for this hearing is 161 122 6457 and the password is Cleary644. The meeting ID and password can also be found on the judge's page on the court's website.

**If you object to this motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

I certify under penalty of perjury that this office caused a copy of this notice to be delivered to the persons named above by U.S. mail or by the methods indicated on or before Tuesday, October 6, 2020.

/s/ MARILYN O. MARSHALL  
MARILYN O. MARSHALL, TRUSTEE

## **Motion to Dismiss Case For Unreasonable Delay**

Comes now Marilyn O. Marshall, Standing Trustee, and requests that this case be dismissed, as Debtor(s) failed to file the required documents pursuant to 11 USC §521, §1307, §349, and Rule 3015, and in support thereof states the following:

1. Debtor(s) filed for Chapter 13 on 08/10/2020.
2. The debtor(s) have failed to provide copies of all payment advices or other evidence of payment received within 60 days before the date of filing the petition.
3. The debtor's plan has failed to provide for the commitment of future tax refunds.

4. The debtor(s) have failed to maintain payments to the Trustee's office as required under 11 U.S.C. §1326.
5. The debtor(s) have failed to resolve the pending objection(s) to the plan.
6. The debtor(s) have failed to commit all disposable income to the plan.
7. The debtor's failure to confirm a plan in a timely manner constitutes unreasonable delay.

WHEREFORE, the Trustee prays that this case be dismissed, and for any and all other relief this court deems just and proper.

Office of the Chapter 13 Trustee  
224 S Michigan Ave  
Ste 800  
Chicago, IL 60604  
(312) 431-1300

/s/ MARILYN O. MARSHALL  
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MARILYN O. MARSHALL, TRUSTEE